

Serial No. 10/678,010
Attorney Docket No. 11948.0026

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application:
Consuelo N. Tangpuz et al.

Serial No.: 10/678,010

Filed: October 2, 2003

For: METHOD FOR MAINTAINING
SOLDER THICKNESS IN FLIPCHIP
ATTACH PACKAGING PROCESSES

Confirmation No. 9241

Group Art Unit: 2818

Examiner: Ho, Tu-Tu

Mail Stop Non-Final Response
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed October 15, 2004, Applicant requests reconsideration of the restriction requirement in light of the following remarks. Enclosed herewith is a petition for a one-month extension of time to extend the period for responding to this Office Action until December 15, 2004.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450 Alexandria,
VA 22313-1450, on this 30th Day of November 2004.

Signed: _____

Pam Bowden

11/29/2004

The Restriction Requirement

The Office has required restriction to one of the following groups of inventions under 35 U.S.C. § 121:

Group I: claims 1-23 and 34-39, drawn to a semiconductor package including a leadframe and a method for forming thereof, classified in class 257, subclass 666; and

Group II: claims 24-33, drawn to a method for forming a semiconductor package, including providing a leadframe, classified in class 438, subclass 123.

The Office notes that claims 1, 14, and 18-20, 24, 34, and 39 are linking claims between the two groups and on the allowance of the linking claim(s), the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from of otherwise including all the limitations of the allowable linking claim(s) will be entitled to examination.

The Office argues that Groups II and I are related as a process of making and product made. The Office further argues that the inventions of these two groups are distinct since the product as claimed can be made by another and materially different process, for example, the molding of Group I could be formed by a plain molding process, i.e., an IC die is placed in a molding die without using a film or cushion material which is different from using a film assisted molding process as recited in claim 32 of Group II. The Office concludes that because the groups of inventions are distinct for these reasons, and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes is proper.

Applicant elects *with traverse* to prosecute the invention of Group II, claims 24-33. Applicant does NOT traverse the Office's classification of the groups of inventions as distinct

and entailing different patentability determinations, merely the reasoning behind the Office's classification. Applicant agrees with the classification of claims 1, 14, and 18-20, 24, 34, and 39 as linking claims and that claims 1, 14, and 18-20, 34, and 39 (and any claims depending therefrom) will be examined on the indicated allowance of claim 24.

Applicant respectfully disagrees that the Office has shown that the invention of Group I can be made the proposed other and materially different process. The process proposed by the Office is a "plain molding process." Such a process is not different than the process within the scope of the invention of Group II. Claim 24 (the broadest claim of Group II) recites "molding a molding material around a portion of the die and a portion of the leadframe." While claim 32 recites that the molding process is performed by a film assisted molding process, claim 24 is not so limited. Thus, the Office's proposed "plain molding process" is not "another and materially different process" since that proposed process falls within the scope of claim 24 and, therefore, within the invention of Group II.

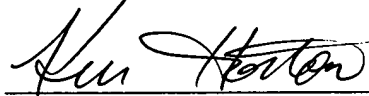
Thus, the Office has not established a proper restriction requirement between Groups I and II. Accordingly, Applicant requests withdrawal of this restriction requirement and examination of all pending claims.

CONCLUSION

For the above reasons, Applicant respectfully requests the Office to withdraw the restriction requirement and examine all the pending claims.

If there is any fee due in connection with the filing of this Response, including a fee for any extension of time not accounted for above, please charge the fee to our Deposit Account No. 50-0843.

Respectfully Submitted,

By 
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Reg. No. 39,481

Date: 11/29/2004